

REMARKS/ARGUMENTS

In the Office Action mailed September 21, 2004, claims 1-15, 24 and 25 were rejected. Claims 16-23 were objected to. Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

In the present response, claims 1-15, 24 and 25 were cancelled without prejudice and disclaimer. Applicants reserve the right to pursue the subject matter in these claims in this or a related application. As a result, claims 16-23 remain pending.

SPECIFICATION

The Examiner objected to the Abstract submitted with the current application as being insufficiently descriptive. Applicants have amended the Abstract in line with the Examiner's suggestion. Applicants, therefore, respectfully request that the rejection to the Abstract be removed.

CLAIM OBJECTIONS

The Examiner objected to claims 10-14 and 16-23 due to a number of formalities. Initially, Applicants note that claims 10-14 have been cancelled without prejudice or disclaimer. Applicants, therefore, respectfully request that the objection to claims 10-14 be removed.

The Examiner objected to claim 16 and 21 as to a lack of clarity between the phrases "to calculate a temperature of the rotor magnets" and "determining an actual temperature."

Applicants have amended these claims to clarify the elements. Applicants, therefore, respectfully request that this objection be removed.

The Examiner objected to claim 21 as not defining the variables T_{s1} and T_{s2} . In line with the Examiner's suggestion, Applicants have amended claim 21 to overcome this objection. Applicants, therefore, respectfully request that this objection be removed.

The Examiner further objects to claim 21 as to the defined variable, T_s . This variable is defined in the claim 21 as a "subsequently sensed" temperature. Applicants note that T_s is any sensed temperature after the initial temperature measurements of T_{s1} and T_{s2} . Therefore, it is essentially any subsequently sensed temperature. Applicants respectfully submit that the variable definition of T_s is sufficient. Applicants, therefore, respectfully request that this objection be removed.

The Examiner objected to claim 21 and claim 22 as to an inconsistency between the phrases "actual temperature" and "determined temperature." Applicants have amended the claims to remove any inconsistency. Applicants, therefore, respectfully request that this objection be removed.

Claim 21 was also objected to because the lack of antecedent basis. Applicants have amended the claim to correct the antecedent basis. Applicants, therefore, respectfully request that this objection be removed.

Claims 22 was objected to because all the variables were not defined. Applicants have amended the claim to define all the variables. Applicants, therefore, respectfully request that this objection be removed.

Claim 23 was objected to because of the attempt to change the temperature in claim 22.

Applicants have amended claim 22 and claim 23 in line with the Examiner's suggestion.

Applicants, therefore, respectfully request that this objection be removed.

CLAIM REJECTIONS – 35 U.S.C. § 102(b)

The Examiner rejected claims 1, 2, 3, 4, 5, 6, 9, 10, 13, 14, 15, 24 and 25 under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,548,981 to Ishii *et al.* (hereinafter referred to as "Ishii").

In light of the cancellation of these claims, Applicants respectfully request that the rejection to these claims be removed.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 4, 5, 6, 7, 9, 10, 11, 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 5,650,700 to Mutoh, *et al.* (hereinafter referred to as "Mutoh") in view of United States Patent No. 5,612,605 to Tao (hereinafter referred to as "Tao") and United States Patent No. 6,529,135 Bowers, *et al.* (hereinafter referred to as "Bowers"). Additionally, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Mutoh in view of Tao and United States Patent No. 6,205,405 to Povreau (hereinafter referred to as "Povreau"). Finally, the Examiner rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Mutoh in view of Tao.

In light of the cancellation of these claims, Applicants respectfully request that the rejection to these claims be removed.

ALLOWABLE SUBJECT MATTER

Applicants thank the Examiner for the indication that claims 16-23 would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims as well as correcting the minor informalities. In accordance with the Examiner's suggestion, Applicants have amended claims 16, 21 and 22. These claims should be in condition for immediate allowance.

Claims 17-20 and 23 depend directly or indirectly from 16, which is allowable claim. Therefore, these claims are allowable as well.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request that all the pending objections and rejections be removed. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1703 in an effort to resolve any matter still outstanding before issuing another action. The undersigned attorney is confident that any issue which might remain can readily be worked out by telephone.

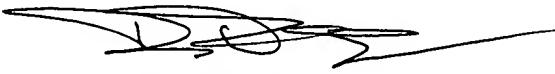
Docket No. 87334.5700
Serial No. 10/633,533
Customer No. 30734

Patent

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 87334.5700.

Respectfully submitted,

BAKER & HOSTETLER LLP



Dennis P. Cawley
Reg. No. 44,598

Date: 12/21/04
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783